

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

David Annunziato
on behalf of himself and all others similarly situated,

**No. 12-CV 3609
(ADS)(AKT)**

Plaintiff,

-against -

Collecto, Inc.

Defendant.

David Annunziato, pursuant to 28 U.S.C. § 1746 declares under penalty of perjury that the following is true and correct:

1. I am the Plaintiff in this matter, and I make this affidavit in support of the motion for summary judgment on behalf of myself and the class.
2. With respect to any debt that may have been owed to New York Institute of Technology, I never agreed to pay 42.85% of the principal as a collection fee or cost.
3. I received the letter attached as Exhibit A to the Complaint in this lawsuit seeking to impose a 42.85% collection fee on me.
4. I did not understand how I could be charged a 42.85% collection fee, and I felt confused and intimidated by the fees being charged to me.



David Annunziato